

REQUEST FOR PROPOSALS (RFP)

COUNTY OF SAN BERNARDINO

HUMAN SERVICES SYSTEM

JOBS AND EMPLOYMENT SERVICES DEPARTMENT

15,000 SQUARE FOOT OFFICE BUILDING

GENERAL INFORMATION

The County of San Bernardino has a requirement for the Human Services System, Jobs and Employment Services Department for 15,000 square feet of office space in the Hesperia area. The desired occupancy date is December 1, 2001, or sooner.

The County is accepting proposals for the lease of approximately 15,000 square foot build-to-suit building or a modified existing building.

The facility is desired, but not required to be located within the area shown on the attached map. The boundaries for the area are Topaz Avenue on the west, "I" Avenue on the east, two blocks on the north and two blocks on the south of Main Street in Hesperia.

General specifications for the building are attached. The square footage requirement is estimated to be approximately 15,000 square feet. The facility may be an existing building modified to meet the general specifications or a build-to-suit. The actual square footage and floor plan will vary depending on the layout of the various facilities under consideration. A free-standing building is preferred but not required.

The facility will be utilized for the Jobs and Employment Services Department. The desired number of parking spaces is 120 (five of which must be handicapped accessible and secured parking for two County vehicles).

The term of the agreement must be at least five years and may have options to extend.

The successful proposer will be expected to: provide a project location; provide a licensed architect and complete plans for modification or construction; obtain all applicable government approvals for modification or construction of a building; construct the building and/or improvements; enter into a lease agreement with the County of San Bernardino; and maintain the facility.

It is the County's intent that the contractual relationship between the proposer and the County shall be substantially as set forth in the attached sample lease agreement. In developing the proposal, the proposer should carefully review the agreement to take into consideration the rights, obligations, and costs associated therewith. Any substantial change in the agreement which the proposer desires must be specified in the proposal.

This is not a solicitation of bids. The County reserves the right, for any reason, to accept or reject any one or more proposals; to negotiate the terms and specifications for the facility; to modify any part of the RFP; or to issue a new RFP. The County assumes no responsibility or liability for the accuracy of any information set forth in maps, reports, or other documents/materials provided for the proposer's use in developing their proposal. The proposer assumes all liability in the use of such information in developing the proposal. The County of San Bernardino assumes no responsibility or liability for costs incurred by the proposer in the preparation of a proposal and response to this RFP. Materials submitted in connection with this RFP are for the exclusive use of the County of San Bernardino. All proposals will become the property of the County and will not be subject to return. All information contained therein shall be subject to public disclosure under the California Public Records Act, Government code section 6250. Except as provided below, submission of the proposal shall be deemed to be a waiver of any exemption or exception to disclosure, which the proposer may otherwise have.

The proposer is responsible for making all necessary investigations and examinations of documents affecting performance. Failure to do so will not act to relieve any condition of the sample agreement or the documents. It is mutually agreed that the submission of a proposal shall be considered conclusive evidence that the proposer has made such investigations and examinations.

Any reasonable inquiry to determine the responsibility of a proposer may be conducted by the County. The submission of a proposal shall constitute permission by the proposer for the County to verify all information contained therein. If the County deems it necessary, additional information may be requested from the proposer. Failure to comply with any such request may disqualify a proposer from further consideration. Such additional information may include evidence of financial ability to perform, for example, tax returns, bank statements, etc. All financial information submitted in response to request for financial data is subject to disclosure under the provisions of the California Public Records Act, Government Code Section 6250 and following. In the event the County receives a request for the disclosure of any such information, prior to the release of any such information, the County will contact the proposer and will not release the information if the proposer, within five (5) days of receipt of notice of the disclosure request, requests non-disclosure, provides County a legally sound basis for non-disclosure, and agrees to indemnify, defend and hold harmless the County in any action brought to disclose such information. The proposer, by submitting such information, agrees that the failure of County to contact the proposer prior to the release of such information will not be a basis for liability by County or any County employee to proposer.

The County, their agents, officers, volunteers, and employees, shall not be liable for any claims, liabilities, penalties, fines or for damage to any goods, properties or effects of any person, caused by or resulting from any acts, errors or omissions of the proposer or the proposer's agents, employees, or representatives.

The County of San Bernardino established a Child Support compliance Program. (County Code Section 110.0101 et seq.) The Program is intended to assist the District Attorney (DA) in locating County employees, contractors and business licensees who owe child, family, and spousal support obligations. This Program is designed to enhance the welfare of dependents by ensuring that those who owe a duty of support are held accountable for their responsibilities, in order to mitigate the County's resultant financial burden.

At the time of each proposal submission to the soliciting County department, Proposers must submit separately to the DA a completed Principal Owner Information Form (POI Form - see County's child Support Compliance Program attachments) provided by the County. Additionally, Proposers shall submit along with a proposal to a soliciting county department certifications that: 1) the POI Form has been appropriately completed and provided to the District Attorney with respect to the Proposer's Principal Owners; 2) the Proposer has fully complied with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 3) the Proposer has fully complied with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment and will continue to maintain compliance. Such certification must be submitted on the Child Support Compliance Program Certification (CSCP Certification - see County's Child Support compliance Program attachments) provided by the County.

Failure by a Proposer to submit the CSCP Certification prior to award of contract or issuance of a lease contract (which includes certification that the POI Form has been submitted to the DA) to the soliciting County department shall be ground for a finding that a proposal is non-responsive.

INSTRUCTIONS TO PROPOSERS

A. Proposals deemed responsive to this RFP:

A proposer's response to the RFP must be made according to the specifications set forth in this section, both for content and sequence.

Any proposal failing to comply with said specifications may be deemed to be non-responsive and subject to rejection by the County. A proposer may be permitted to remedy a non-responsive status if sufficient evidence can be presented citing extenuating circumstances.

Proposers must present evidence, satisfactory to the County, indicative of their ability to design, construct, finance, operate and maintain the specified facilities. Proposers must include the following information in sequence.

B. The following is a list of items that must accompany the proposal:

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- 1) Name of proposer exactly as it will appear on the agreement.
- 2) Address of proposer for purposes of notice or other communication relating to the proposal.
- 3) Contact Person.
- 4) Telephone number of proposer.
- 5) Type of ownership the proposer intends to operate the business which this proposal is concerned, e.g.: a sole proprietorship; Partnership; Corporation; Joint Venture, names of all partners, officers, etc., and who has the authorization to sign the lease agreement.
- 6) Proposed method of financing the development and/or modifications.
- 7) The selected Proposer will be required to provide financial statements prepared by a Certified Public Accountant and current credit reports on the owner/company/corporation.
- 8) Developer's Experience.

- 9) References.
- 10) Description of the Proposed Site and Building.

City/County planning department's review and approval of your location and intended use. A complete description of the site and building including; location, the proximity in terms of time and distance to major arterial streets, major highways and freeways and public transportation; the building type (design), the site (zoning, lot size, configuration, setbacks, expansion space available if any); parking (number, location, lighting, security) and additional general information regarding the site such as aesthetic considerations, features of the property and any other details of the site that have not been addressed. Proposers should include how any existing building will be modified to meet the general specifications.

- 11) Provide proof of ownership of the site or other documentation showing proposer's control of the proposed site sufficient to enter into the contemplated lease with the County.
- 12) Provide lease terms and any limited or conditional factors affecting the property. Include the cost per square foot for a turn-key full service lease, annual adjustment requested, if any, basic term (County prefers five to seven years), option to extend period(s) and proof of ability to finance the project. The cost per square foot figure must include a breakdown of operating expenses and landlord improvements. **The cost per square foot amount you provide should be your lowest and best offer.**

NOTE: Landlord improvements are only those improvements provided by the landlord to meet the needs of the County department that will occupy the building. Proposers shall specify in detail any and all improvements to be made which they request to be treated as landlord improvements qualifying for reimbursement in the event of a termination by County under Paragraph 40c, COUNTY'S RIGHT TO TERMINATE LEASE. Failure of proposer to so specify shall mean that no reimbursement shall be made for any improvements in the event of such early termination by County.

- 13) Estimated development schedule. Desired, but not mandatory, occupancy date is December 1, 2001, or sooner.
- 14) The proposal must be made by the proposer or by an agent bearing a notarized authorization or power of attorney signed by the proposer authorizing the agent to act in the proposer's behalf.

If the proposal is made by an individual, it shall be signed with the full name of the proposer, and his/her address shall be given. If it is made by a partnership, it shall be signed with the partnership name and by an authorized partner. If it is made by a joint venture, it shall be signed by the authorized representative of the joint venture. If it is made by a corporation, it shall be signed by the authorized agent for the corporation.

The proposal must be submitted as follows:

- 1) Provide seven (7) copies of the proposal in a sealed envelope marked "Hesperia - RFP - Real Estate Services Department".
- 2) Include name, address and day time phone number of proposer (or authorized agent) on the envelope.
- 3) The package may be sent by certified mail or hand delivered, but **must arrive** not later than 5:00 p.m., March 21, 2000, to Real Estate Services Department, 825 East Third Street, Room 207, San Bernardino, CA 92415-0832.

It is the sole responsibility of the proposer to see that his/her proposal is completed and received in proper time. Proposals received after the deadline may be rejected.